

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE A2P SMS
ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:
All Actions

)
) MASTER FILE: 12 CV 2656 (AJN)
)
) ECF Case
)
) **NOTICE OF DEFENDANTS' JOINT**
) **MOTION TO ENFORCE ORDER**
) **AND TO COMPEL**
) **INDIVIDUAL ARBITRATION**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of this motion, the Declaration of Thomas J. Frederick In Support of Motion to Enforce Order and to Compel Individual Arbitration and the exhibits attached thereto, and upon the pleadings and all prior proceedings herein, the Carrier Defendants¹ and CTIA—The Wireless Association (“CTIA”) (collectively, “Defendants”), by and through their undersigned attorneys, respectfully move this Court, before the Honorable Alison J. Nathan, United States District Judge, in Courtroom 23B at the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York, on such day and at such time designated by the Court, for an Order pursuant to Sections 3 and 4 of the Federal Arbitration Act and this Court’s Order dated September 16, 2013 (Dkt. No. 225): (1) enforcing its prior ruling and enjoin or otherwise prohibit Plaintiffs from pursuing their claims against Defendants on a class basis; or, alternatively, (2) compelling individual arbitration of Plaintiffs’ claims.

PLEASE TAKE FURTHER NOTICE that any opposing affidavits and answering memoranda shall be served within fourteen days after service of the aforementioned moving papers, pursuant to Local Rule 6.1(b).

¹ The Carrier Defendants are AT&T Mobility LLC, Cellco Partnership d/b/a Verizon Wireless, Sprint Nextel Corporation, T-Mobile USA, Inc., and U.S. Cellular Corporation.

Dated: New York, New York
February 11, 2014

Respectfully submitted,

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